

Strategic Planning Board Updates

Date: Wednesday, 28th June, 2017
Time: 10.30 am
Venue: The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

The information on the following pages was received following publication of the Board agenda.

12. **Planning Updates** (Pages 3 - 12)

Please contact Sarah Baxter on 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies, requests for further information or to arrange to speak at the meeting

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STRATEGIC PLANNING BOARD UPDATE – 28th June 2017

APPLICATION NO: 16/3209C

PROPOSAL: Outline proposal for a mixed use development including residential, retail, cafes, access to marina and other ancillary works (access)

ADDRESS: Intertechnic Uk Ltd, Road Beta, Middlewich CW10 0QF

APPLICANT: Mr Peter Nunn

UPDATE

On 20 June 2017 Inspector Stephen Pratt published his final report on the Cheshire East Local Plan Strategy, thus bringing the Plan's Examination to a close. He has concluded that with the recommended Main Modifications, the Cheshire East Local Plan Strategy meets the criteria for soundness in the National Planning Policy Framework, and is capable of adoption.

Accordingly a report is being prepared for the full meeting of the Council on 27 July recommending the adoption of the Plan. In the meantime paragraph 216 of the NPPF sets out the guidance on the weight that should be applied to emerging plans. The degree of weight depends on:

- The stage of the Plan (the more advanced the preparation, the greater the weight that may be given)
- The extent to which there are unresolved Objections
- The degree of consistency with the framework.

In the case of the Cheshire East Local Plan Strategy The Plan is now on the cusp of adoption and so is clearly at a very advanced stage. With the publication of the Inspector's report there are no unresolved objections and the Inspector has confirmed that the policies of the plan are consistent with the Framework.

Accordingly, whilst ahead of adoption the Local Plan Strategy cannot be afforded full weight as a development plan, as an emerging plan it must now carry very significant weight.

The Inspector's Report signals the Inspector's agreement to the plans and policies of the plan, subject to the modifications consulted on during the spring of 2016 and 2017. On adoption, all of these sites and policies will form part of the Statutory Development plan. In particular sites that are currently within the green belt will then be removed from that protective designation and will be available for development.

In the light of these new sources of housing supply, the Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

“I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years”

In the run up to adoption, no 5 year supply can be demonstrated and so the presumption in favour of sustainable development will continue to apply.

Given the solution to housing supply now at hand, correspondingly more weight can be attributed to the housing supply policies (as per the Richbournough Supreme Court Judgement). In addition given the progression of emerging policies towards adoption very significant weight can now be given to those emerging policies. The scale of the development may also be a factor that should be weighed in the overall planning balance as to the degree of harm experienced.

Attention is also drawn to a recent appeal decision regarding a site in Cheshire East ref APP/R0660/W/16/3156959 where the inspector gave the following view on the status of the Councils emerging Local Plan prior to the recent report;

“This plan is now at an advanced stage of preparation, with the consultation on the main modifications having started on 6 February 2017. It was indicated that apart from a minor modification to the wording of the supporting text, the Local Plan Inspector has not suggested any modifications to this policy. As such, it is proposed that it would be adopted in its current format. In the light of this, and in accordance with paragraph 216 of the National Planning Policy Framework (the Framework), I consider that substantial weight can be given to this policy”

This conclusion was reached before the Inspector's Report was published, now his findings are known and adoption is imminent the weight accorded to the emerging plan will be further enhanced.

RECOMMENDATION:

No change to the recommendation

APPLICATION NO:16/3840C

LOCATION: Land North Of Chestnut Drive and West of, Back Lane, Congleton

PROPOSAL: Full planning permission for development of 83 dwellings including the provision of informal areas of landscaping, off road vehicular parking with vehicular and pedestrian access from Back Lane.

CONSULTATIONS:

No further comments received

REPRESENTATIONS:

One further comment has been received from a resident of Chestnut Drive raising the same issues set out in the officers report, namely highways; capacity of local schools; loss of trees/hedgerows and concerns about the impact of the pumping station.

KEY ISSUES

Housing Supply Update

Following the publication of the report the position has been updated as follows:

“On 20 June 2017 Inspector Stephen Pratt published his final report on the Cheshire East Local Plan Strategy, thus bringing the Plan’s Examination to a close. He has concluded that with the recommended Main Modifications, the Cheshire East Local Plan Strategy meets the criteria for soundness in the National Planning Policy Framework, and is capable of adoption.

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Given the solution to housing supply now at hand, correspondingly more weight can be attributed to the housing supply policies (as per the Richborough Supreme Court Judgement). In addition given the progression of emerging policies towards adoption very significant weight can now be given to those emerging policies. The scale of the development may also be a factor that should be weighed in the overall planning balance as to the degree of harm experienced.

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Amenity

The applicant was asked to confirm why the proposed pumping station is located where it is and whether there were any other options for its siting. They replied as follows:

“Need for a pumping station

Due to the location and level of the closest suitable foul and surface water sewers to serve the development site, as agreed with United Utilities, there is insufficient fall for a gravity drainage solution without substantial raising of levels on site (in the order of at least 2m behind the existing bungalows on Chestnut Drive). Therefore a pumped drainage solution for both foul and surface water drainage is required due to soakaways not being feasible.

Why is the pumping station located in the south west corner of the site?

The pumping station is located at the lowest part of the site to facilitate gravity drainage on site and via the pumping station a rising main to the foul and surface water sewers off site. Infiltration is not suitable for this site which also impacts on the suitability of a foul water treatment plant which would need to discharge to a drainage field or watercourse. Therefore, this is the only practical solution. However, it also ensures minimum excavations near existing trees and within the existing highway to minimise disruption to the surrounding environment.

Relationship to existing development

An adoptable pumping station needs to comply with Sewers for Adoption, 7th Edition, if it is to be adopted by United Utilities (which this will be). Therefore, it needs to follow a prescribed design and layout and apart from a kiosk (serving the electrical control panel) all other plant i.e. pumps, valves etc is below ground within a ‘wet well’ and chambers. It is a requirement of Sewers for Adoption that any adoptable pumping station, of this size, has its wet well located at least 15m from habitable buildings to minimise the risk of odour, noise and nuisance. The current layout has a ‘stand-off’ distance of 19m to the nearest new dwelling and 32m from the closest existing dwelling and as such the current layout more than addresses the guideline standards. Furthermore, retention of existing trees and the formation of a new woodland copse around the rear and sides of the pump station compound would further reduce any impact.

Additionally, the pumping station will have telemetry meaning any fault will be known about and dealt with immediately but the general maintenance of this size of pumping station would be annual so again not disruptive to those living nearby.

Whilst planning permission has not yet been granted, a meeting with United Utilities has been carried out regarding the proposed sewerage layout and whilst there are a few minor adjustments required there are no issues with the

combined pumping station (which will minimise the plan area compared to two separate pumping stations) or the general sewer and rising main routes, flows and sewer connection points. Subject to granting of planning permission a Section 104 adoptable sewer application will then be made to United Utilities.”

As such it is considered that the applicant has set out why there is no where else to locate the pumping station and what controls there are in place to address any possible issues. With the proposed landscaping which will screen the structure very effectively the proposals are considered acceptable.

Public Rights of Way/Countryside Access:

Following discussions with the applicant, they have agreed to provide a hard surface footpath link between the south western corner of the site and the link onto Chestnut Drive. As this is likely to involve a payment to the Council it is considered that this should be included in the Section 106 and not a condition (No. 20) as set out in the report.

CONCLUSION:

With the amendment set out above in relation to the footpath link, there are no other changes to the recommendation, however the decision should be Subject to a 21 day notification period to the University of Manchester (Jodrell Bank) of the intention to grant planning permission.

APPLICATION NO: 16/5850C

LOCATION: Land South of Old Mill Road, Sandbach

PROPOSAL: Improvement of J17 northbound slip road, provision of new roundabout to provide access to development site

CONSULTATIONS

Environmental Health (Air Quality) – No objections

CONCLUSIONS

As in the original report a recommendation of approval is made.

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APPLICATION NO: 17/0454M

LOCATION: Land North of, Chelford Road, Ollerton

PROPOSAL: Construction of 9 hole pitch and putt golf course adjacent to approved deriving range

KEY ISSUES

Correction in report

Parish Council comments in report refer to Chelford Parish Council. This should refer to Ollerton with Marthall Parish Council.

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